

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

5

United States of America

v.

SHAWN PAUL HOOVER

Case: 2:17-mj-30014

Assigned To : Unassigned

Assign. Date : 1/12/2017

Description: CMP USA v. HOOVER (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 18, 2016 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 USC Section 1709

On or about November 18, 2016, Shawn P. Hoover, while being a U.S. Postal Service employee, did unlawfully steal the contents of U.S. Mail entrusted to him, in violation of Title 18, United States Code, Section 1709.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

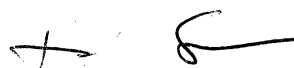


Complainant's signature

A.D. Downen, USPS-OIG Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: January 12, 2017City and state: Detroit, Michigan

Judge's signature

R. Steven Whalen, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, A.D. Downen, being duly sworn, depose and state:

1. Affiant is a Special Agent employed by the United States Postal Service, Office of Inspector General (USPS-OIG), and has been for approximately three years. Prior to that, Affiant was a patrolman, for approximately four years, with the United States Air Force Security Forces. Affiant's primary responsibilities include investigating internal crimes involving the theft of mail. Affiant knows the following to be true from investigative and personal knowledge, as well as from investigations conducted by other law enforcement officers.

2. The information set forth in this affidavit is for the limited purpose of establishing probable cause. This affidavit, therefore, may not include all of the information gathered during this investigation.

3. On November 17, 2016, Affiant received information from the National Law Enforcement Communications Center (NLECC). NLECC reported that a Macomb Township Sheriff responded to a call that a construction worker discovered mail within a portable toilet. The mail was turned over to USPS management at the Clinton Macomb Carrier Annex for further investigation by the USPS-OIG.

4. On November 17, 2016, further investigation determined SHAWN PAUL HOOVER (HOOVER), a Rural Carrier Associate at the Clinton Macomb Carrier Annex, Macomb, Michigan, was responsible for the delivery of the mail found within the portable toilet. USPS management had received a large number of complaints of theft and non-delivery of mail on HOOVER's assigned postal delivery routes in Macomb Township, Michigan.

5. On November 18, 2016, USPS-OIG agents conducted surveillance of HOOVER along his assigned postal delivery route. An undercover USPS-OIG agent also placed a First Class United States mail test piece in HOOVER's outgoing mail. The test piece contained \$85 in marked United States currency. Shortly after HOOVER received the test piece from the undercover agent, the test piece was opened and the \$85 was removed. Agents approached HOOVER at the rear door of his postal vehicle and identified themselves.

6. USPS-OIG agents conducted a search of HOOVER's USPS vehicle and recovered the rifled test piece of mail.

7. Affiant and USPS-OIG Special Agent P. Fox interviewed HOOVER. HOOVER was provided a Miranda Rights Warning and Waiver


form, which he signed. HOOVER verbally acknowledged he understood his rights and agreed to answer questions.

8. HOOVER admitted he was responsible for discarding the mail found in the portable toilet on November 12, 2016. Agents presented HOOVER with the United States test piece of mail recovered from his postal vehicle. HOOVER acknowledged he had opened the test piece of mail and removed the \$85 in cash.

9. In total, HOOVER estimated that, since October of 2016, he obtained \$250 in cash, four gift cards, and several checks from mail he was assigned to deliver or collect. The mail was addressed to and from USPS customers in Macomb Township, Michigan.

10. Agents obtained written consent from HOOVER to search his personally owned vehicle for mail. Agents conducted the consensual search and recovered approximately 688 pieces of mail, 99 checks valued at approximately \$69,496, and 15 debit/credit/gift cards from the vehicle. HOOVER admitted to obtaining the above items from the mail meant for his delivery route. HOOVER voluntarily provided a sworn written statement attesting to the above information.

11. Based on the foregoing facts, there is probable cause that SHAWN P. HOOVER, while being employed as a United States Postal Service employee, stole mail and the contents of mail entrusted to him, which was intended to be conveyed by mail and intended to be delivered by a Post Office of the United States, in violation of Title 18, United States Code, Section 1709.


A.D. Dowen
Special Agent, USPS-OIG

Subscribed and sworn to before me this
12th day of January, 2017.


R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE